

A Settlement Night Meeting of the Marilla Town Board was held Tuesday, December 30, 2003 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

John R. Foss, Supervisor
Barbara Spanitz, Councilman
Fred Specht, Councilman
George Gertz, Councilman
Earl Gingerich, Jr., Councilman

Supervisor Foss called the meeting to order at 7:30 p.m

New Business

Motion: Councilman Gingerich moved, seconded by Councilman Spanitz to approve the following resolution:

WHEREAS, the Town Board of the Town of Marilla has received a request from Dan Handy for a special use permit for the construction of a golf course and has submitted a long form EAF to the Town Board along with his application; and

WHEREAS, the Town Board has determined that the proposed action is a Type I Action under SEQRA and therefore a coordinated review must be conducted.

WHEREAS, the Town of Board of the Town of Marilla believes that the Town of Marilla is the agency primarily responsible for undertaking decisions as to zoning, planning and construction of facilities within the Town of Marilla, is the agency with the broadest governmental powers for investigating the impact of the proposed action and has the greatest capacity for providing the most thorough environmental assessment of the proposed action the most local agent with permitting authority.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board has determined that the proposed construction of a golf course is a Type I Action under SEQRA.
2. The Town Board has determined that it should be the lead agency for all environmental review of the proposed issuance of the special use permit and construction of the golf course.
3. The Town Board directs that the Town Clerk of the Town of Marilla with the assistance of the Town Engineers and Town Attorney send the required notice with all required attachments to all other involved agencies about the proposed action and the determination by the Town of Marilla of its desire to act as lead agency under SEQRA.
4. This resolution shall take effect immediately.

Roll Call Vote:

Supervisor Foss – aye	Councilman Spanitz – aye
Councilman Specht – aye	Councilman Gertz – aye
Councilman Gingerich – aye	

Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Gertz to set the date for the public hearing for the proposed golf course for February 12th 2004 at 7:30 p.m. Motion Carried.

Motion: Councilman Gertz moved, seconded by Councilman Spanitz to authorize the Supervisor to sign a contract with Nussbaumer & Clarke, Inc. to provide Engineering Services for Water District V at an estimated cost of \$98,820.00. Motion Carried.

- Motion: Councilman Specht moved, seconded by Councilman Gingerich to authorize the Supervisor to sign a contract with Neill & Strong for legal services for Water District V. Motion Carried.
- Motion: Councilman Spanitz moved, seconded by Councilman Gertz to authorize the Supervisor to sign a contract with Hodgson Russ LLP as Bond Council for Water District V. Motion Carried.

Supervisor Foss commented that it appears that the General Fund ended with a higher surplus then last year; 2002 \$535,000/2003 \$555,000, the Highway is down about \$12,000 due to the purchase of a truck and sanitation is down about \$14,000, the Town is in good financial shape he stated.

- Motion: Councilman Gertz moved, seconded by Councilman Spanitz to approve claims. Motion Carried.

General Fund, Vouchers	608-642	\$24,369.99
Highway Fund, Vouchers	213-221	\$ 4,901.56
Water District #2, Vouchers	40	\$ 16.13
Sanitation, Vouchers	142-150	\$ 8,224.75
Community Develp.,Pace	10	\$ 8,615.00

- Motion: Councilman Specht moved, seconded by Councilman Gertz to adjourn the meeting at 7:50 p.m. Motion Carried.

Respectfully submitted,

_____	Town Clerk	_____	Supervisor
_____	Councilman	_____	Councilman
_____	Councilman	_____	Councilman